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Applicability: All DDSN State Employees

The language used in this policy does not create an employment contract between the employee and the Department of Disabilities and Special Needs (SCDDSN) reserves the right to revise the contents in this policy, in whole or in part.

PURPOSE

To establish guidelines for the transportation of employees and individuals served to State Employee Grievance Hearings.

A. Employee Witnesses

The South Carolina Department of Disabilities and Special Needs (DDSN) will be responsible for transporting employee witnesses to the State Employee Grievance Hearings who are required to attend by the attorney for the Department. Employee witnesses subpoenaed or requested to attend by the grievant or his/her attorney will not be transported at the Department's expense; however, all duly called employee witnesses will be given administrative leave to attend the hearing. Upon release from the grievance hearing by the Employee Grievance Committee or the party calling the employee witness, the employee will be expected to return to their normal work station for resumption of their duty.

B. Individuals Served

Individuals served requested to attend State Employee Grievance Hearings by the departmental attorney will be transported by SCDDSN. Individuals served subpoenaed by other attorneys will be transported by SCDDSN regional staff at the expense of those attorneys. The cost of the individuals' transportation and salaries for staff supervision will be billed to those attorneys.

The District director/Facility Administrator will determine the feasibility of the individuals served attendance at State Employee Grievance Hearings based on such factors as recommendation of professional/medical staff, degree of disability, parental objection and individuals served desires. If there is an objection to the individuals served attendance at a hearing, the District director/Facility Administrator will contact the Department's Counsel and request that the subpoena be squashed. The District director/ Facility Administrator and DDSN will be bound to abide by the subsequent ruling on the objection.

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(Approved)